

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

IN RE:

MARQUEZ, JOSE

Debtor

Case No. 11-16347-RGM  
Chapter 7

**TRUSTEE'S MOTION TO COMPEL DEBTOR  
TO TURN OVER PROPERTY OF THE ESTATE**

Janet M. Meiburger, Esq., the Chapter 7 trustee for the estate of the debtor in the above-named case (the “Trustee”), by counsel, hereby moves, pursuant to 11 U.S.C. §542(a) and Federal Rule of Bankruptcy Procedure 9013 for entry of an order compelling Jose Marquez, the Debtor herein, to turn over property of the bankruptcy estate, and in support of this motion states as follows:

1. On August 29, 2011 (the “Petition Date”), the Debtor filed his voluntary petition for relief under Chapter 7 of the Bankruptcy Code. The Trustee was appointed on August 30, 2011 (Docket No. 4).

2. The Debtor maintained an account, Account Number -4570, with Wells Fargo Bank (the “Account”) in the name of Jose R Marquez DBA Marquez Trucking. On August 29, 2011, the Debtor withdrew \$11,000.00 from the Account. These funds constitute nonexempt property of the bankruptcy estate. In addition, as of the Petition Date, the balance of the Account was \$1,428.31. This Account constitutes property of the estate which was not exempted.

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Proposed Counsel for Chapter 7 Trustee

3. According to Schedule B, the Debtor maintained a savings and checking account with Wachovia Bank (the "Accounts"). As of the Petition Date, the total balance of the Accounts was \$2,700.00. The Accounts constitute property of the estate which was not exempted.

4. The Trustee's efforts to collect these funds from the Debtor or to obtain payment from the Debtor for the nonexempt value of these funds have not been successful.

WHEREFORE, Janet M. Meiburger, Esq., the Trustee for the estate of the Debtor in the above-named case, by counsel, respectfully requests that the Court enter an order compelling Jose Marquez to return the property of the bankruptcy estate as described herein.

Respectfully submitted,

THE MEIBURGER LAW FIRM, P.C.

Dated: October 14, 2011

By: /s/ Janet M. Meiburger  
Janet M. Meiburger, Esq., VSB No. 31842  
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Proposed Counsel to Chapter 7 Trustee

**CERTIFICATE OF SERVICE**

I HEREBY certify that on this 14th day of October, 2011, a true and correct copy of the foregoing Trustee's Motion to Compel Debtor to Turn Over Property will be served by ECF e-mail pursuant to the applicable Standing Order of the Court, and by first class mail, postage prepaid on the following:

Jose R Marquez  
3800 Monte Vista Pl Unit A  
Alexandria, VA 22309-1454

Weon Geun Kim  
Weon G. Kim Law office  
8200 Greensboro Drive  
Suite 900  
McLean, VA 22102

/s/ Janet M. Meiburger  
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Janet M. Meiburger